

Dear Mr. Glasser,

It does not advance mature and responsible discussion of significant public issues to say the same thing in different words or to pretend that a factual record is refuted by a statement of belief, perhaps ^{more of} ~~rather~~ hope.

Let us forget that we are lawyers and let us stop ~~saying~~ saying what we would we would, as adversaries, say in court.

enclose Let us, instead, address this as people who are deeply concerned about the growing authoritarianism in our country, as people who fear any additional steps toward what can be interpreted as an American fascism, for example, the disclosures in today's Washington Merry-Go-Round column, and who fear very much what the CIA can do of this nature because of what we know of what it has already done of this nature. In this context I think that in the future you of the ACLU who have rushed this legislation through will have to answer some questions, some very simple questions.

What was the great rush with Congress about to end? Especially when you did face considerable opposition in both your opinions and your representations of fact.

And suppose you are wrong? Have you really thought through the consequences of your opinions and representations of fact being wrong, of what the CIA may now do -- and we may not know, if ever, until too late?

What good will it then do to say that you are honestly sorry, that you made an honest mistake?

From the experiences and successes of my clients your basic premises are not correct. Operational records are not either immune nor always withheld (they have thousands of disclosed pages of operational files) and the CIA's backlog is not attributal to time it must waste but to time it wastes deliberately. As an illustration, requests of a decade, greatly more than the claimed backlog, remain without compliance.

I think you deceive yourself when you say that this bill derails a total exemption. It remains to be seen whether or not this bill amounts to a total exemption. And if the reactionary votes are there to "enact broader exemption," nothing will stop that.